Claim 4 (currently amended):

4. A system for verifying barcode data, comprising:

a detector for detecting ~~the~~ a presence of barcode data in the digital file;

a measurer for obtaining measurements of ~~the~~ bars and spaces of said barcode data;

an identifier for identifying ~~the~~ a type of barcode data present in said file;

a decoder for decoding said barcode data using a predetermined algorithm;

a verifier for verifying said barcode data; and

a communicator to output ~~the~~ results of the verification.

REMARKS/ARGUMENTS

In the specification, the paragraph [0045] has been amended to correct minor editorial problems.

Claims 2-3 and 5-6 remain in this application. Claims 1 and 4 are amended to comply with examiner's objection to informalities and they also remain in this application.

The examiner has rejected claims 1-6 under 25 U.S.C. 102(b) as being anticipated by Hardesty et al. (U.S. Patent No. 5,504,315.) Applicants respectfully disagree. The Hardesty et al. patent functions quite differently from Applicants' claimed subject matter.

In his rejection of claims 1-6, Ms. Franklin contends that Hardesty et al. (Hardesty,) column 7, lines 21-24, teaches the "detecting the presence of barcode data in a digital file." Hardesty does not. It discloses the "subsequent processing of the analog and digital data sets decodes and identifies the scanned bar code label and yields a plurality of indices characterizing its readability and print quality." It teaches only the use of a scanned bar code label rather than a digital file as the sole source of information. It requires that a bar code label is provided which can then be scanned. Applicants' invention, on the other hand, does not use a bar code label as a source of information; rather it uses any digital file as the source of information and it detects bar code data in that source. Hardesty makes no suggestion of using anything other than a scanned bar code label with a bar code printed on the label.

Similarly the portion of Hardesty (column 8, lines 60-67) refers to "prompting the user to scan the bar code label of interest" before deriving data from the scanning attempt and comparing the data derived with other data. Hardesty clearly states that the input data (for the analysis) comes only from the scanning of the bar code label, not from a data file which may or may not have bar code information.

Hardesty et al. in fact does not teach a method of verifying barcode data that includes a step of *detecting the presence of barcode data* in a digital file.

The cited but not applied prior art has been considered and applicants agree with Ms. Franklin that they are less pertinent than the applied references.

A fee of $510.00 is attached as required by 37 CFR 1.136(a)(3) in connection with this Amendment and Response along with a Petition for Extension of Time.

In view of the above amendments, it is respectfully submitted that all of the claims in this application are now in condition for allowance and reconsideration and early passage to issue are requested. Should and issues remain unresolved, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,
KEVIN GARRISON ET AL.

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